

# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred House Bill No. 1501, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1           Page 3, line 11, after "of" insert "**:**
- 2                   **(i)**".
- 3           Page 3, line 11, after "IC 24-4.7" insert "**;**
- 4                   **(ii) IC 24-5-12; or**
- 5                   **(iii) IC 24-5-14;"**.
- 6           Page 3, line 11, beginning with "for" begin a new line double block
- 7           indented.
- 8           Page 3, line 36, after "IC 24-4.7" insert "**, IC 24-5-12, or**
- 9           **IC 24-5-14"**.
- 10          Page 3, line 41, after "IC 24-4.7," insert "**IC 24-5-12, or**
- 11          **IC 24-5-14,"**.
- 12          Page 4, line 9, after "IC 24-4.7," insert "**IC 24-5-12, or**
- 13          **IC 24-5-14,"**.
- 14          Page 4, between lines 14 and 15, begin a new paragraph and insert:
- 15          "SECTION 7. IC 24-4.7-5-1 IS AMENDED TO READ AS
- 16          FOLLOWS[EFFECTIVE JULY 1, 2005]: Sec. 1. A telephone solicitor
- 17          who fails to comply with any provision of IC 24-4.7-4 commits a
- 18          deceptive act that is actionable by the attorney general under this
- 19          chapter. **In addition, a contractor who contracts or seeks to contract**
- 20          **with the state:**
- 21                  **(1) may be prohibited from contracting with the state; or**

1           **(2) may have an existing contract with the state voided;**  
 2           **if the contractor, an affiliate or principal of the contractor, or any**  
 3           **person acting on behalf of the contractor or an affiliate or principal**  
 4           **of the contractor does not or has not complied with the terms of**  
 5           **this article, even if this article is preempted by federal law."**

6           Page 4, line 21, after "to" insert ":

7           **(1)".**

8           Page 4, line 22, delete "." and insert "; **or**

9           **(2) a violation of:**

10           **(i) IC 24-4.7;**

11           **(ii) IC 24-5-12; or**

12           **(iii) IC 24-5-14."**

13           Page 4, line 22, beginning with "Actual" begin a new line blocked  
 14           left.

15           Page 5, between lines 41 and 42, begin a new paragraph and insert:

16           "SECTION 8. IC 24-5-12-23 IS AMENDED TO READ AS  
 17           FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 23. A seller who fails  
 18           to comply with any provision of:

19           **(1) this chapter; or**

20           **(2) IC 24-4.7;**

21           commits a deceptive act that is actionable by the attorney general under  
 22           IC 24-5-0.5-4(c) and is subject to the penalties set forth in IC 24-5-0.5.

23           **An action for a violation of IC 24-4.7 may be brought under**  
 24           **IC 24-5-0.5-4(c) or IC 24-4.7-5.** An action by the attorney general for  
 25           a violation of this chapter **or IC 24-4.7** may be brought in the circuit or  
 26           superior court of Marion County."

27           Page 6, line 10, after "IC 5-22-1-3," delete "and".

28           Page 6, line 10, after "IC 5-22-2-1," insert "**IC 24-4.7-5-1, and**  
 29           **IC 24-5-12-23,".**

30           Renumber all SECTIONS consecutively.

(Reference is to EHB 1501 as printed March 18, 2005.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 10, Nays 0.

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**Senator Long, Chairperson**